

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ANNETTE LALL,

Plaintiff,	§	
v.	§	Civil Action No. 3:13-CV-3840-L
THE BANK OF NEW YORK MELLON	§	
f/k/a The Bank of New York as Successor	§	
in Interest to JP Morgan Chase Bank, N.A.;	§	
EMC MORTGAGE; JP MORGAN	§	
CHASE BANK, N.A.; WELLS FARGO	§	
BANK; and SELECT PORTFOLIO	§	
SERVICING, INC.,	§	
Defendants.	§	

ORDER

Before the court is The Bank of New York Mellon, EMC Mortgage, JP Morgan Chase, N.A., and Wells Fargo Bank's ("Defendants") Motion for Summary Judgment (Doc. 60), filed January 9, 2015; and Service Portfolio Servicing, Inc.'s ("Defendant SPS") Motion to Dismiss Plaintiff's Third Amended Complaint and Brief in Support (Doc. 84), filed May 15, 2015. The action was referred to Magistrate Judge Paul D. Stickney for pretrial management on December 17, 2013. The magistrate judge entered Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report") on September 9, 2015, recommending that Defendants' Motion for Summary Judgment be granted and that Defendant SPS's Motion to Dismiss be granted. No objections were filed to the Report.

After careful consideration of Defendants and Defendant SPS's motions, Plaintiff's responses, Defendants and Defendant SPS's replies, the pleadings, Report, and applicable case law,

the court **determines** that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, Defendants' Motion for Summary Judgment is **granted** pursuant to Federal Rule of Civil Procedure 56; and Defendant SPS's Motion to Dismiss Plaintiff's Third Amended Complaint is **granted** pursuant to Federal Rule of Civil Procedure 12(b)(6). Accordingly, this action is **dismissed with prejudice**. The court will issue a judgment by a separate document as required by Federal Rule of Civil Procedure 58.

It is so ordered this 28th day of September, 2015.



Sam A. Lindsay
United States District Judge